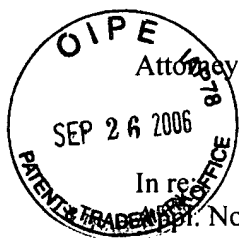


RESPONSE UNDER 37 C.F.R. 1.116 -
EXPEDITED PROCEDURE - EXAMINING GROUP 1638



Attorney's Docket No. 035718/260673

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Herrmann et al. Confirmation No.: 4095
App. No.: 10/617,978 Group No.: 1638
Filed: July 11, 2003 Examiner: Anne R. Kubelik
For: ORALLY ACTIVE ANDROCTONUS AMOREUXI PESTICIDAL BIOPEPTIDES
[Title as Amended January 5, 2006]

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION AND FEE FOR EXTENSION OF TIME 37 C.F.R. § 1.136(a)

1. This is a petition for an extension of time for a total period of ONE months to respond to the Office Action dated May 26, 2006 and the Advisory Action dated August 15, 2006.

2. Applicant is ☐ a small entity; ☒ other than a small entity.

3. Calculation of extension fee (37 C.F.R. § 1.17(a)(1)-(a)(5)):

Total Months Requested	Fee For Other Than Small Entity	Fee for Small Entity
<input checked="" type="checkbox"/> one month	\$120.00	\$60.00
<input type="checkbox"/> two months	\$450.00	\$225.00
<input type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00
<input type="checkbox"/> five months*	\$2,160.00	\$1,080.00

*Cannot be used to exceed six-month statutory limit for response to an Official Action.

☒ A check in the amount of \$120 is enclosed.

☐ Charge Deposit Account No. 16-0605 for the extension fee.

☐ All fees are being authorized to be charged to Deposit Account No. 16-0605 when electronically filing

☒ Charge Deposit Account No. 16-0605 for any fee deficiency.

Respectfully submitted,

David E. Cash
Registration No. 52,706

Customer No. 29122
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
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CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number EV395780069US
Date of Deposit September 26, 2006 TBESHAH1 00000068 10617978

02 FC:1251

120.00 OP

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Nora C. Martinez